

REMARKS

Claims 1-24 are pending in this application. Above Claims 1, 21 are amended. As to the amendment to Claim 1, see, e.g., Applicants' specification at page 7, lines 19-21; see also *id.*, page 3, lines 5-8, 13-15; page 4, lines 9-12, 16-19. As to the amendment to Claim 21, see, e.g., Applicants' specification at page 9, lines 18-22; see also claim 22 reciting "conjugated fibers". Non-elected Claims 25-30 are canceled above, without prejudice or disclaimer.

In the office action, Claims 21 and 22 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite. The office action refers to the recitation that the fibers in the fabric are conjugated, and states that such a term can imply bi- or multi-component fiber. The office action also refers to the recitation that fibers are longer than the fibers in the composition, and asks, "How does the fabric, which appears to be formed from the composition containing fibers, have longer fibers than the composition?"

Applicants respond to this rejection as follows.

It is submitted that page 9, lines 18-25 of the specification clearly describe how the conjugated fibers in the fabric are longer than the fibers in the composition, stating: "Preferably, the fibres in the fabric are conjugated and are longer than the fibres in the composition. We believe that the fibres in the fabric are formed from shorter fibres in the composition joined by binder so that they partially overlap."

Moreover, to advance prosecution and without agreeing with the ground of rejection, Applicants above have amended Claim 21.

Reconsideration and withdrawal of the rejection under 35 U.S.C. 112, second paragraph are respectfully sought.

In the office action, Claims 1, 2, 6, 10-15 have been rejected under 35 U.S.C. 102(b) as being anticipated by Laurent et al.

Applicants respectfully traverse this anticipation rejection.

Laurent et al describe a fibrous composition which is used in the manufacture of decorative wall coverings, comprising cellulose fibers, a cellulose binder and water. It is debatable whether or not the composition described by Laurent et al is suitable for forming a fabric but, in any case, Laurent et al do not disclose a diluent having a boiling point of not more than 70°C in which the binder is dissolved.

Accordingly, it is submitted that Applicants' claim 1 as amended is clearly novel with respect to Laurent al. It follows that dependent claims 2-16 are also novel with respect to Laurent et al.

Reconsideration and withdrawal of the anticipation rejection based on
5 Laurent et al are respectfully sought.

In the office action, Claims 3-4 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Laurent in view of Nakanishi.

Applicants respectfully traverse this obviousness rejection as follows.

As set forth above, amended claim 1 is clearly novel with respect to Laurent
10 et al. It follows that dependent claims 3 and 4 are also novel with respect to Laurent et al. As for Nakanishi, there is no disclosure in Nakanishi that would motivate a person of ordinary skill in the art to disperse fibers and dissolve a binder in a diluent having a boiling point of no more than 70°C. Accordingly, it is submitted that claims 3-4 cannot fairly be said to be obvious over Laurent et al in view of Nakanishi.

15 Reconsideration and withdrawal of this obviousness rejection based on Laurent et al combined with Nakanishi are respectfully sought.

In the office action, Claims 1-4, 6-15, 17-20, 23-24 have been rejected under
et U.S.C. 103(a) as being unpatentable over Nakanishi in view of O'Connell et al. Claims 5 and 16 have been rejected under 35 U.S.C. 103(a) as being unpatentable
20 over Nakanishi in view of O'Connell et al. or alternatively Laurent et al., either combination further in view of Rosato.

Applicants respectfully traverse these obviousness rejections.

Nakanishi discloses a method of making a fabric by spraying self-bonding
polymeric fibers which have been produced in a heated extruder, into a mold. It
25 would appear that Nakanishi's sprayed material is made up of molten polymeric fibers. Nakanishi does not disclose any type of diluent and it is not clear whether there is a binder present or whether, in fact, the molded fibers are themselves adhesives.

O'Connell et al describe a sprayable composition for acoustical applications
30 comprising fibers and a polymer binder. This composition is then mixed with water before spraying onto ceilings, walls, columns and the like. As with Laurent et al, in

O'Connell et al there is no disclosure of the diluent having a boiling point of not more than 70°C in which the binder is dissolved.

It is the Examiner's theory that a person of ordinary skill in Applicants' art would be motivated to combine the teachings of Nakanishi and O'Connell et al. This
5 assumption is rebutted. Nakanishi teaches that the self-adhesive property fiber 14 was chosen according to its purpose. Regarding Nakanishi, the person of ordinary skill in the art is directed to any material which has self-adhesive properties including nylon, polyester, polypropylene and polyurethane (paragraph [0015] on page 5 of 9 of the machine translation of Nakanishi). Thus, the person of ordinary skill in the art
10 would be motivated to select fibers that have self-adhesive properties and would not be motivated to combine nylon, polyester, polypropylene or polyurethane fibers with a binder in order to make said fibers adhesive. Accordingly, a person of ordinary skill in the art would lack motivation to combine the teachings of Nakanishi with the teachings of O'Connell et al.

15 In any event, there is no disclosure in Nakanishi or O'Connell et al, or for that matter in Laurent et al, that would motivate the person of ordinary skill in the art to disperse fibers and dissolve a binder in a diluent having a boiling point of not more than 70°C. Therefore, Claim 1 is not obvious over any combination of Nakanishi, Laurent et al and O'Connell et al.

20 Nor does Rosato supply what is missing. Rosato does not disclose a diluent having a boiling point of not more than 70°C in which the fibers are dispersed and the binder is dissolved. A person of ordinary skill in the art having Nakanishi, O'Connell et al, Laurent et al and O'Connell et al would lack the motivation to arrive at Applicants' Claims 5 and 16.

25 Reconsideration and withdrawal of these obviousness rejections in which Nakanishi is the primary reference are respectfully sought.

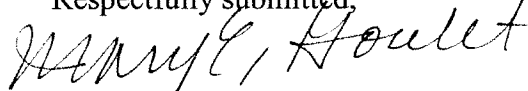
In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1-24 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for
30 allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephone or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

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Respectfully submitted,



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